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Attorneys for Plaintiff
Wells Fargo Bank, National
Association, as Trustee, on
Behalf of the Holders of the
Structured Asset Mortgage
Investments II Inc., Bear Stearns
Mortgage Funding Trust 2007-AR1
Mortgage Pass-through Certificates,
Series 2007-AR1

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CASE NO. 2:16-cv-01082-APG-NJK

WELLS FARGO BANK, NATIONAL
ASSOCIATION, AS TRUSTEE, ON
BEHALF OF THE HOLDERS OF THE
STRUCTURED ASSET MORTGAGE
INVESTMENTS II INC., BEAR
STEARNS MORTGAGE FUNDING
TRUST 2007-AR1 MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES
2007-AR1,

Plaintiff,

vs.

LVDG II, a Nevada limited liability
company; HACIENDA NORTH HOA, a
Nevada non-profit corporation,

Defendants.

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE OF
DEFENDANT HACIENDA NORTH
HOMEOWNERS' ASSOCIATION**

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Pursuant to Federal Rule of Civil Procedure 41(a), and LR IA 6-2, Wells Fargo Bank, National Association, as Trustee, on Behalf of the Holders of the Structured Asset Mortgage Investments II Inc., Bear Stearns Mortgage Funding Trust 2007-AR1 Mortgage Pass-through Certificates, Series 2007-AR1, (“WFB”), and Defendant HACIENDA NORTH HOMEOWNERS’ ASSOCIATION, (“the Association”) (collectively the “Parties”), by and through their respective undersigned counsel of record, hereby stipulate to and agree, as follows:

1. This action concerns title to real property commonly known as 5351 Aurora Beam Ave., Las Vegas, Nevada 89122 (“Property”) following a homeowner’s association foreclosure sale conducted on May 15, 2012 with respect to the Property.
2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust recorded against the Property in the Official Records of Clark County, Nevada as Instrument Number 200611200003825 (“Deed of Trust”), and in particular, whether the Deed of Trust continues to encumber the Property.
3. This Stipulation and Order is the result of a compromise resolution of this action and shall not constitute or be construed as an admission of the facts or legal conclusions at issue in this action, or an admission as to the validity of the allegations in future actions.
4. WFB now agrees to voluntarily dismiss the Association with prejudice.
5. The Association does not take a position regarding whether the subject foreclosure sale extinguished WFB’s interest in the deed of trust in this matter.
6. The Association will respond, as a non-participant witness, to the remaining parties subpoena *duces tecum* or deposition request.

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1 7. The Association does not have a current interest in the Property.

2 8. The Association and WFB shall each bear its own attorneys' fees and costs incurred
3 in this matter.
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5 **IT IS SO STIPULATED.**


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7 **SMITH LARSEN & WIXOM**

8 /s/ Christopher L. Benner
9 Kent F. Larsen, Esq.
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10 Christopher L. Benner, Esq.
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Association, as Trustee, on
13 Behalf of the Holders of the
Structured Asset Mortgage
14 Investments II Inc., Bear Stearns
Mortgage Funding Trust 2007-AR1
15 Mortgage Pass-through Certificates,
16 Series 2007-AR1
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19 **IT IS SO ORDERED:**

**MADDOX ISAACSON & CISNEROS,
LLP**

/s/ Troy L. Isaacson
Troy L. Isaacson, Esq.
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Attorneys for Defendant Hacienda North
HOA

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UNITED STATES DISTRICT JUDGE
Dated: April 2, 2020.
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